

Gov. Gregoire signs reform laws streamlining environmental, land use administrative appeals

OLYMPIA – Gov. Chris Gregoire today signed into law two bills that execute key strategies recommended in her natural resources reform initiative, which she unveiled December 2009.

“I requested these bills to streamline government and simplify our complex environmental and land use appeal processes. These changes in law will make it easier for citizens, organizations and businesses to understand how, when and where to appeal government decisions,” Gregoire said. “They also shrink the size of government, saving taxpayers more than \$250,000 each biennium. These changes go hand-in-hand with my ‘One Front Door’ initiative to improve customer service and access to natural resources agencies.”

Together, House Bill 2935 and Senate Bill 6214 offer the following benefits to taxpayers and those with cases to be considered by various environmental or land use boards:

- Reduce duplication by cutting the number of both growth management hearings boards and other environmental review boards, while maintaining citizens’ rights to appeal decisions;
- Simplify appeal procedures and timelines by creating standardized timelines for some quasi-judicial appeals of government actions involving environmental and land use laws; and
- Cut red tape by eliminating or clarifying internal agency review processes that duplicate appeals to environmental hearings boards.

This chart illustrates the streamlining of the appeals process:

http://governor.wa.gov/priorities/reform/natural_resources/nr_admin_appeals.pdf

The bills signed by Gregoire require the following actions to make the boards more effective and efficient:

- Eliminate two of the three Growth Management Hearings Boards, creating a single seven-member Board to hear cases on a regional basis.
- Shift the workload of the Forest Practices and Hydraulics Appeals Board to the Pollution Control Hearings Board;
- Repeal the Environmental and Land Use Hearings Board, effective July 1, 2011;
- Streamline the Growth Management Hearings Board, effective July 1, 2011, with its powers, duties and functions transferred to the renamed Environmental and Land Use Hearings Office;
- Standardize several appeal timelines to 30 days, retaining other appeals timelines considered necessary by the affected parties; and
- Clarify informal appeals processes in the Department of Fish and Wildlife, and eliminate informal appeals processes in the Department of Ecology.

Currently, a confusing array of quasi-judicial boards handles appeals of environmental and land use decisions. Appeal processes are complex, with varying appeal times and avenues for review.

#